IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO.440 OF 2006

IN

SUMMARY SUIT NO.2315 OF 2006

Unmesh Kantilal Shah. ...Plaintiff

vs.

M/s.Surajmani Enterprises. ...Defendant.

Mr.Hemang Mehta i/b. Mehta & Co., for Plaintiff.
Mr.Nivit Shrivastava, for Defendant.

CORAM: D.K.DESHMUKH, J.

DATED: 19th December,2006..

P.C.:-

1. Heard the learned Counsel appearing for both the sides. Admittedly there is no written contract under which the plaintiff has given amount in deposit with the defendant. Therefore, the summary suit is not maintainable. The defendant, therefore, definitely has defence to offer. The summons for judgment is disposed of. The defendant is granted unconditional leave to defend the suit. Written statement to be filed within eight weeks from today.